

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

OSCAR PALMER,

Defendant.

**ORDER**

14 Cr. 652 (PGG)

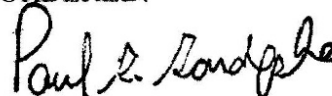
PAUL G. GARDEPHE, U.S.D.J.:

The sentencing hearing scheduled for May 11, 2022, at 11:00 a.m. is converted to a conference. At that conference, the Court will discuss Defendant Oscar Palmer's objections to the Presentence Report. (See Dkt. Nos. 277, 280) In his objections, Palmer objects to a host of core facts regarding his criminal conduct, including (1) that he sold cocaine with co-defendant Efrain Lora; (2) that he supervised co-defendant's Luis Lopez's selling of cocaine; (3) that he sold cocaine in and around a bodega located at 169th Street and Franklin Avenue in the Bronx; and (4) that the murder of Andrew Balcarran arose from a dispute over "drug turf." (April 19, 2022 Def. Ltr. (Dkt. No. 277) at 11-17)

The Court has heard extensive testimony about these matters, both at the trial of co-defendant Lora, and at co-defendant Luis Trujillo's Fatico hearing. The Court found the testimony offered at these proceedings credible, and intends to rely on this testimony at Palmer's sentencing in the absence of new information. Accordingly, if Palmer wishes to challenge the testimony offered at these proceedings, a Fatico hearing will be necessary. Palmer will state at the May 11, 2022 conference whether he wants a Fatico hearing, and if so, as to what matters.

Dated: New York, New York  
May 4, 2022

SO ORDERED.



Paul G. Gardephe  
United States District Judge